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In re Application of

Mueller et al.

Application No. 09/706,583

Filed: November 3, 2000

Attorney Docket No. 10177-137-999

OFFICE OF PETITIONS

ON PETITION

This decision concerns the March 15, 2004 petition under 37 CFR 1.137(b).

The petition is **GRANTED**.

The application became abandoned on August 17, 2002 for failure to timely file a proper response to the July 16, 2002 Office Action, containing restriction/election requirements, which set forth a 1-month shortened statutory reply period.

The instant petition includes a "Response to Restriction Requirement" and an authorization to charge the \$665 petition fee (small entity) to Deposit Account No. 16-1150, and states in essence that the entire delay in filing the required reply from the due date until the filing of a grantable §1.137(b) petition was unintentional. The petition is thus granted.

The application file is being returned to Technology Center 3700 for continued examination.

Telephone inquiries should be directed to the undersigned at (703) 308-0763.

RC Tang
Petitions Attorney
Office of Petitions